

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

In re: LATOYA NICOLE ROGERS

**CASE NO. 13-73945
CHAPTER 7**

Debtor.

**TRUSTEE'S MOTION TO COMPEL DEBTOR
TO TURNOVER PROPERTY AND DOCUMENTS**

Comes now John C. McLemore, Chapter 7 trustee ("Trustee") for the estate of Latoya Nicole Rogers ("Debtor") and moves pursuant to 11 U.S.C. § 542 for an order compelling the Debtor to turn over certain non-exempt assets and documents relating to the Debtor's financial affairs, and in support thereof states as follows:

1. The Debtor filed a voluntary petition for relief under Chapter 7 of the United States Bankruptcy code on October 21, 2013.

2. John C. McLemore was appointed as interim trustee in this case and continues to serve in that capacity.

3. The 2012 federal tax returns provided by the Debtor indicate a refund of \$8,080.00. The Debtor did not provide to us a copy of her 2012 state tax returns.

4. The Debtor did not list or exempt any tax refunds on her Schedules B and C.

5. The Trustee requested the Debtor to provide to him Debtor's 2013 tax returns and any tax refunds received. The Trustee also adjourned the 341 meeting to December 18, 2013, but the Debtor failed to appear.

6. On January 2, 2014, the Trustee requested from the IRS that any refunds from the Internal Revenue Service be paid directly to the Trustee.

John C. McLemore, Trustee
500 E. Main St., Ste. 1210
Norfolk, VA 23510
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7. The Trustee is holding open this case to receive the tax refunds, and to disburse the refunds to the creditors who have filed claims.

8. The Trustee requests an Order for Turnover, compelling the Debtor to pay to the Trustee any tax refunds recovered by her, and to provide to him a copy of the 2013 federal and state tax returns as filed.

WHEREFORE, John C. McLemore, Trustee, moves this Court for an order ordering the turnover of the non-exempt 2013 tax refunds and production of the filed returns and for such other and further relief as this case may require.

/s/ John C. McLemore
John C. McLemore,
Chapter 7 Trustee
500 E. Main St., Ste. 1210
Norfolk, VA 23510
Tel (757) 625-4300
Fax (757) 625-4400

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Motion to Compel Debtor to Turnover Property and Documents was served by first class mail postage prepaid or via the Electronic Case Filing (ECF) system, as appropriate and as indicated on the following parties this 24th day of January, 2014:

Office of the U.S. Trustee*
Room 625, Federal Building
200 Granby Street
Norfolk, VA 23510
[\[USTPRegion04.NO.ECF@usdoj.gov\]](mailto:USTPRegion04.NO.ECF@usdoj.gov)

Latoya Nicole Rogers
2212 Rose Avenue
Portsmouth, VA 23704

/s/ John C. McLemore
John C. McLemore, Trustee